

**WAYS & MEANS, REAL ESTATE TRANSACTIONS & FINANCE COMMITTEE
of the
Suffolk County Legislature
Minutes**

A regular meeting of the Ways & Means, Real Estate Transactions & Finance Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York, 11787, on **December 9, 2003**.

Members Present:

Legislator George Guldi - Chairman
Legislator Andrew Crecca - Vice-Chair
Legislator David Bishop
Legislator Michael Caracciolo
Legislator Vivian Vilora-Fisher
Legislator Pete O'Leary

Members Not Present:

Legislator Ginny Fields

Also In Attendance:

Tom Donovan - Aide to Legislator Guldi
Linda Burkhardt - Aide to Presiding Officer Postal
Frank Tassone - Aide to Legislator Crecca
Henry Barton - Clerk/Suffolk County Legislature
Alexandra Sullivan - Chief Deputy Clerk/Suffolk County Legislature
Jim Spero - Deputy Director/Budget Review Office
Verna Donnan - Budget Review Office
Carmine Chuisano - County Executive's Budget Office
Ken Knappe - County Executive's Budget Office
Theresa Lollo - County Executive's Budget Office
Bill Faulk - Intergovernmental Relations/County Executive's Office
Robert Cabble - County Attorney's Office
Christine Costigan - Director/Division of Real Estate/Planning Dept
Edward Romaine - Suffolk County Clerk
John Kennedy - Suffolk County Clerk's Office
Peter Schlusser - Director-Optical Imaging/County Clerk's Office
Joe DeVincent - Community Development Director/Town of Huntington
Penny Wells-LaValle - Director/Real Property Tax Services Agency
Gary Simonson - Deputy Director/Real Property Tax Services Agency
Cheryl Brown - NU-OP Corporation
Lee Lutz - Executive Director/Campaign Finance Board
Robert Kearon - Bureau Chief/District Attorney's Office
All Other Interested Parties

Minutes Taken By:

Alison Mahoney - Court Stenographer

1

(*The meeting was called to order at 10:16 A.M.*)

VICE-CHAIR CRECCA:

It's 10:16 A.M., I think that we should at least get started as we await the arrival of the Honorable George Guldi. So with that said, I would ask that everyone please rise and I will ask that Sandy lead us in the Pledge of Allegiance.

Salutation

We have a number of speakers today and I will start out by Penny LaValle; is she here?

LEG. FISHER:

She was here.

VICE-CHAIR CRECCA:

Hi, Ms. LaValle.

LEG. CARACCILO:

Make it short and sweet, Penny.

MS. WELLS-LAVALLE:

Yes.

VICE-CHAIR CRECCA:

Tom, do I have all the cards here? Because I only have two cards here.

MR. DONOVAN:

You have all the cards.

VICE-CHAIR CRECCA:

Okay, and I know the Clerk is also going to speak, so. I'm sorry. Thank you.

MS. WELLS-LAVALLE:

Legislator Crecca, Honorable Members of the Ways & Means Committee, I'm speaking on -- I am Penny Wells-LaValle, I am Director of Suffolk County Real Property Tax Service Agency speaking on Resolution 1917. It has been amended, you should have a corrected copy. After the public hearing there was a suggestion that we include the word Internet and it has been included several times.

I just also want to make clear that the information that we are going

to be providing on the Internet is information on -- we'll be providing an image of the tax map and information on the ownership that we collect. We will not be providing any of the documents the, references or the deed reference that the Clerk is -- has intention to provide. We did offer a quick resolution to this at the last meeting that I have since spoken with Mr. Romaine and it sounds like there is some potential for him to use an icon or have an icon at our site to reference and go to the Clerk's information and documents. Any questions?

LEG. VILORIA-FISHER:
So you would have a link.

2

VICE-CHAIR CRECCA:
In other words, a link from the website she's saying.

MS. WELLS-LAVALLE:
Right. Yeah, an icon going to his information.

VICE -CHAIR CRECCA:
The question I have for you, and I think we discussed it a little bit beforehand but I would just like to clarify it for the record and for my fellow Legislators. Currently the County Clerk's Office charges fees for certain documents that they provide and copies of those documents, either via the web or at the Clerk's Office. With this website, there's nothing that they're selling right now that will be included in what you're selling, so to speak, in these fees. Did I make the question clear or no? In other words, the stuff, for example --

LEG. BISHOP:
They're mutually exclusive.

VICE-CHAIR CRECCA:
They're mutually exclusive, the deeds -- like he sells copies of deeds and things like that, you will not.

MS. WELLS-LAVALLE:
We're not selling copies of any of the documents that are --

VICE-CHAIR CRECCA:
That the Clerk would normally.

MS. WELLS-LAVALLE:
We're only tax maps and the information that we collect and the ownership records; noting, no documents that the Clerk records or the images of it.

VICE-CHAIR CRECCA:

Okay. And just so you're aware, too, we are awaiting some reports from Budget Review. I know you've met with Budget Review.

MS. WELLS-LAVALLE:

Yes, yesterday.

VICE-CHAIR CRECCA:

And so --

MS. WELLS-LAVALLE:

It looks good.

VICE-CHAIR CRECCA:

Right, and I understand that this would be eligible possibly, if it gets out of committee today, for the December 16th meeting. And I understand that Budget Review, and when they come here we'll ask them, should have that information ready for us by then.

MS. WELLS-LAVALLE:

Absolutely.

3

VICE-CHAIR CRECCA:

Question from Legislator O'Leary.

LEG. O'LEARY:

Good morning. In the resolution, or actually in the memo supplied to us by Counsel, there's mention of Resolution 161, fees which would be increased immediately; are you familiar with Resolution 161?

MS. WELLS-LAVALLE:

That resolution, 161 was passed this year which increased the fees on our current Land Information System; that has nothing to do --

LEG. O'LEARY:

Okay. So my question is, Penny, what are the fees that are in 161?

MS. WELLS-LAVALLE:

That has to do with the albums and also the Digital Ortho Imagery, certain charges for certification that had not been collected prior in Real Property when you come to the counter and you get a certified copy. And our -- what else is in there, do you remember 161? Basically it's just for the land information and the sizes of the engineering size maps which are the B and C sizes; they hadn't been increased in ten years so we only -- we have no intention of increasing those fees again.

LEG. O'LEARY:
Okay, thank you.

MS. WELLS-LAVALLE:
And we would certainly, if it was your wish, come back to you to do that, absolutely.

VICE-CHAIR. CRECCA:
Thank you very much.

MS. WELLS-LAVALLE:
Thank you.

VICE-CHAIR CRECCA:
There's no further questions, we appreciate it.

MS. WELLS-LAVALLE:
Thank you.

VICE-CHAIR CRECCA:
I'm going to call up the County Clerk who has asked to speak today, and he can bring whatever staff he'd like. Good morning, Ed. Thank you for being here. I'd ask, too, I know you want to speak on something else, but if you'd also just address -- maybe that would be the best for the first couple of minutes.

MR. ROMAINÉ:
Sure, I'll be very quick. I spoke to George Guldi the other day about this very briefly. Originally I had expressed some concern about the website for the Real Property Tax Service Agency simply because in the resolution it was mentioned that they would display a history of deeds

on their website which would seem to conflict with what would be on our website and I just want to make sure that no one was stepping on our toes. I had a conversation with Penny this morning and she indicated to me that she would not be displaying deed-type information, just a history of ownership, a list of who the owners were, she won't be providing deeds or liber and page and she would be providing some icon which we will obviously provide on our website.

I've handed out a copy of our proposed website. We will be coming to this body after January -- because there's no point putting a resolution in now, it will die a natural death -- but we will be coming in January with a resolution, we will be setting up a fee schedule for subscriptions. We believe in the first year of operation that we would produce at least \$200,000 in revenue and that as the years go by that number could double, providing we're given the money

to market this site which would mean reaching out to title companies, attorneys and a whole host of other people in allied industries.

I'm going to turn this over -- I would like to introduce Peter Schlusser, he's our Director of Optical Imaging and he does an excellent job for the County Clerk's Office.

MR. SCHLUSSLER:
Thank you, Ed. Good morning.

LEG. VILORIA-FISHER:
Excuse me.

MR. SCHLUSSLER:
Yes.

LEG. VILORIA-FISHER:
I just wanted to ask the Clerk a question; if I may, Mr. Chair.

VICE-CHAIR CRECCA:
Yes.

LEG. VILORIA-FISHER:
There was testimony at the full Legislative public hearing last week from a title company representative or owner who said that as we provide more and more Internet access to our information, the local title companies are being displaced by national companies who may not have any physical presence here in Suffolk County. How are we addressing that, or are we addressing that; do you see that as a real problem?

(*Legislator Guldi entered the meeting at 10:25 A.M.*)

MR. ROMAINE:
Well, I see that as a possibility, absolutely. The only -- we have a number of people that either license cubicles from us, which I'm going to talk about in a minute, or work in the County Clerk's Office. They come in every single day, they work, you know, several hours a day doing research, doing title work, etcetera. Their only claim to fame is that they have exclusivity to our building and, therefore, that dies the minute we have a subscription service. There will still be

independents employed because not every title company will use our subscription service, so there will still be independents there. But could you literally, at some point in the future, do work from a remote access? Absolutely, which makes our service so much more valuable and provides us instead of maybe with 60 or 70 title people

who the only income we get is a licensing fee, we now can provide a subscription fee and we can go with a worldwide market which will mean more revenue and it is something that is just a phenomenon of not only this industry but most industries that are information based.

LEG. VILORIA-FISHER:

Thank you.

LEG. CARACCILOLO:

Excuse me.

MR. ROMAIN:

Yes?

LEG. CARACCILOLO:

Ed, let me take this opportunity to mention that you look well rested.

MR. ROMAIN:

Thank you.

LEG. CARACCILOLO:

I know you had some recent minor surgery and I understand everything went well and it's nice to see you relaxed.

Just a couple of brief questions with regard to the fees generated in the Clerk's Office. And perhaps moving forward, because this is not a rare opportunity, you're certainly one of the most accessible public officials in Suffolk County and always have been, something I know I and other Legislators appreciate very much. But in terms of appearing before committees and the Legislature as a whole, if you could just give us a sense of what you envision going forward are opportunities for the County to improve or maximize fees collected for services we provide.

MR. ROMAIN:

Well, I just will tell you this. Right now for about every dollar in expense that the County Clerk's Office incurs, salaries, etcetera, we are producing almost \$60 in revenue. I want to say that again; we are producing almost \$60 in revenue. Last year we collected approximately 200 -- I believe it was \$240 million?

MR. KENNEDY:

Actually it was like 212.

MR. ROMAIN:

No, no, last year, last year. This year, in 2003 we will close the books at over \$312 million in collections. The Budget Review Office, as the Budget Office will tell you, that our revenue collections have far exceeded any estimates, because I keep on waiting for the real estate boom to slow down. We're driven by the industry. I mean, we

do have a court side, we do have liens and judgements, we have other

6

functions that we perform, but the majority of our revenue comes from the real estate side, we're driven by that. I keep on making very low and conservative estimates and they're getting blown out of the water, our revenues are going right through the roof; and as long as I assume the interest rates stay low, that's going to be the case.

LEG. CARACCILOLO:

Okay. The area I'd like to focus on, absent the real estate boom --

MR. ROMAIN:

Sure.

LEG. CARACCILOLO:

-- and finance phenomena which sooner or later will moderate, hopefully we won't have a bubble there.

MR. ROMAIN:

Right.

LEG. CARACCILOLO:

But is really in the other areas of your office and its operations, you know, optical scanning and all of the other services; can you breakdown that number?

MR. ROMAIN:

Sure. The Legislature has invested in my office repeatedly to do optical scanning, all of our documents have been scanned since -- for the last three years and we have a backfile conversion. And we looked at a lot of vendors and you know what we made the decision of? Because of the technical skills of Peter and his staff, we're doing all of that in-house and saving the -- we're not going with a vendor, we're doing all of our backfile conversion so we can put a history of 40 years on-line. When our website goes on-line it will not only be deeds, mortgages, assignments, satisfactions, restrictions, covenants, but it will be all types of liens; mechanics liens, Federal tax liens, State tax liens, money judgments, UCC's -- Uniform Commercial Code filings. We will also have on-line very important lis-pendents, foreclosures; we always get people calling us, "Do you have a list of forecloses?", and we don't because it's a court action, unless you know the parties we can't give that information out. But we will list all foreclosures, lis-pendants.

If you subscribed, because our subscription service will be based on geography, so you can do the north fork or the south fork or Brookhaven Town and you break it down how you want to subscribe. But

if you subscribe to the whole soup to nuts for the whole County, \$7,000 a year is going to be our subscription price. We anticipate making minimum 200,000 in the first 12 months, and once we market this the potential is to go up to four, \$500,000 year in steady revenue for this County.

LEG. CARACCILOLO:

Is this proposal based on a model from elsewhere?

7

MR. ROMAIN:

It's a proposal that's similar to things that are being done in a number of County Clerk's Offices such as Maricopa County in Arizona, Orange County in Florida, etcetera. And our next step, and I don't want to digress because I'll come back to you with that, we're pushing for State legislation to do electronic filing of deeds and mortgages, that will speed the financial industry up like that. So if you close on a house, five minutes after you close electronically your documents will be filed with us and payment for those documents and fees will be filed electronically.

LEG. CARACCILOLO:

That would be great. Now, in terms of the fee schedule and the fees you hope to generate, that \$7,000 subscription fee.

MR. ROMAIN:

Right.

LEG. CARACCILOLO:

Where does that number come from?

MR. ROMAIN:

That comes from a resolution that we will be submitting to the Legislature in January with our fee schedule.

LEG. CARACCILOLO:

And who are the typical subscribers?

MR. ROMAIN:

I'll give you a particular subscriber. What's your friend's name from Southhold, the real estate agent?

MR. KENNEDY:

Eastern Breezer's Real Estate.

MR. ROMAIN:

Eastern Breezer's Real Estate, a fellow by the name of {McCarthy}, he'll come in and subscribe because he'll want to know all the

foreclosures, the list-pendants, he'll want to know prices so he can do appraisal work. Appraisers, title companies, abstract companies, real estate companies, surveyors, attorneys, I mean -- and there's a phenomenal universe of that, and of course any financial institution, whether they're based in this state or not.

LEG. CARACCILOLO:
Credit Bureaus.

MR. ROMAINÉ:
Right, credit bureaus for liens and judgments unending.

LEG. CARACCILOLO:
The real question I had in that question was the fee schedule itself; is that a reasonable subscription rate or should it be --

8

MR. ROMAINÉ:
We think it's very reasonably priced. And we think -- our goal is to get as many people on-line as possible and then make a judgment. No subscription service is ever going to be locked in stone, it will be a subscription service fee that will start and then what we will ask is that the Budget Review office and the Budget Office aid us in evaluating where we should be.

LEG. CARACCILOLO:
Very good.

MR. ROMAINÉ:
Because if we can raise rates we will. Our goal is to produce revenue for the County of Suffolk.

LEG. CARACCILOLO:
And when would you give -- when would you hope, rather, to have this operational?

MR. ROMAINÉ:
We intend to be operational the first quarter of 2004 and that's why the resolution.

LEG. CARACCILOLO:
Very good. Thank you.

LEG. CRECCA:
Any other questions for the Clerk? Ed, thank you -- oh, go ahead.

MR. ROMAINÉ:
I have to raise one other issue, I see our Director of Real Estate is

here. Back in 1997 you adopted Resolution 809-1997 and that resolution allowed the County to declare space in its building, surplus space, and allowed people who work in the title industry to license cubicles from the County of Suffolk; that was allowed for three years with a three year renewal. That three year renewal is up and apparently there are -- the Real Estate Department feels there's no -- they need a resolution to justify how they will proceed next in terms of renewing them because there's no justification for yet another renewal. Their licenses all expire as of December 31st.

LEG. CRECCA:

I would assume, Ed, that we're not going to be kicking those people out on January 1st, are we?

MR. ROMAIN:

Well, my recommendation would be, and it's only a recommendation, that I collect six months worth of license fee and make sure their insurance is in place, etcetera, etcetera. And in the next six months the Legislature could draft a resolution directing the Real Estate Department which handles licenses and leases and things of that nature in County buildings to have a lottery and then we have a lottery and then new license agreements are drafted and they go into effect as of July 1st and there would be enough time for those people who did not win the lottery to know that they were leaving and make their plans accordingly. Because we have -- I believe we have 70 spaces but we

9

have more than 70 people that want those space.

LEG. CRECCA:

What I would ask, in my individual capacity as a Legislator, is that come the new year, whoever the new Chairman or Chairwoman is of the Ways and Means Committee --

CHAIRMAN GULDI:

It won't be me.

MR. ROMAIN:

We'll miss you, George.

CHAIRMAN GULDI:

You certainly will.

LEG. CRECCA:

That Ed, you reach out or have somebody from your office reach out to him or her and get that into the works and get it moving.

MR. ROMAIN:

I intend to work very closely with Paul Sabatino who did a very good job drafting the first resolution and with Christine Costigan and the Real Estate Department to make sure that we have a procedure in place, that we'll never have to have another resolution, that it will be a set procedure and that there'll be a way that those licensing fees can be periodically reviewed to determine that they meet the criteria of market rate and that the County gets the maximum amount of revenue that is possible.

LEG. CRECCA:
Thank you.

MR. ROMAINÉ:
Thank you.

LEG. CRECCA:
And both to you and Ms. LaValle, thank you for raising the coffers here and raising the money here in Suffolk County.

MR. ROMAINÉ:
We want to make sure the County stays solvent.

CHAIRMAN GULDI:
Well, you know, it's a misnomer to say they raised the money; it's like they run the casino with a monopoly game on the east end, where they take a rake from what's going on in the market?

MR. ROMAINÉ:
Anyway, thank you.

LEG. CRECCA:
Sort of like a casino --

10

CHAIRMAN GULDI:
Yeah, it's the east end casino, it's the one that we have, we call it the Clerk's Office.

MR. ROMAINÉ:
I'm not in favor of casinos. Happy holidays.

LEG. CRECCA:
Levy's drafting a bill already.

CHAIRMAN GULDI:
All right, Cheryl Brown is the next speaker, and that's the last card I have. Cheryl is here on Resolution 1606 which is on Tabled Resolutions, that's a 72-h. Go ahead.

MS. BROWN:

Good morning. My name is Cheryl Brown, I'm the founder and the Director of NU-OP Corporation, we're a non-profit organization located in the Wheatley Heights area. Our purpose is to acquire homes or houses that are in needed repair through the County so that we can renovate them and sell them to low to moderate income individuals or families. By doing this we can put the houses back on the tax roll in the County and we can also assist people in first time home ownership and affordable housing.

Just to give you a little background about myself, I'm a 36 and a half year veteran of New York State, I worked as a an occupational therapist with developmentally delayed Individuals and I'm now retired, I retired this past April. So now that I'm retired, I have an abundance of time on my hands and I'd like to do something exciting and challenging and try to help others to acquire what I've acquired. I've acquired home ownership 29 years ago and I've also had assistance along the way with people helping me.

I feel now it's my turn to give back to the community. I've lived in the Wyandanch area for -- well, since 1952 and I've seen it develop and grow. Our organization would like to be involved in the revitalization of Wyandanch and if we can have a small part of doing this by acquiring these homes that are in battered shape and getting them ready for sale, we would like that. And at this time, we would like to ask the committee to vote this resolution out of committee today so that it could be voted on I believe at your next meeting.

CHAIRMAN GULDI:

Yeah, I have a couple of questions, though. There are other -- this 72-h -- I'm digging for the resolution, wait a minute; here, I found it.

LEG. O'LEARY:
1608?

CHAIRMAN GULDI:

1608, yes. The question I have for you is the -- how many -- NU-OP, who is NU-OP? You are -- you've talked about you and you've told us NU-OP is a not-for-profit; how long has it been in existence?

MS. BROWN:

It was formed one year ago, we're in our infancy stages right now.

CHAIRMAN GULDI:

All right. So this would be your first project?

MS. BROWN:

This would be our first project, yes.

CHAIRMAN GULDI:

Okay. So as a first project, what's the condition of this property; is it a typical dilapidated house in need of renovation from top to bottom?

MS. BROWN:

Well, from what we can see from the outside, we haven't done a walk-through, the outside of the house is boarded up, it's in need of some repair, that much we do know.

CHAIRMAN GULDI:

It probably needs your basic heating, plumbing, electrical, roof, windows, doors, etcetera, renovation.

MS. BROWN:

Yes.

CHAIRMAN GULDI:

Do you know how big it is, off the top of your head?

MS. BROWN:

It's a two bedroom house, I don't have the exact measurements.

CHAIRMAN GULDI:

So it's probably about 1,600 square feet.

MS. BROWN:

Somewhere around that, maybe a little less.

CHAIRMAN GULDI:

All right. So market value on renovating a structure in that order or magnitude for residential use, about \$100 a square foot even in the private sector, it's going to cost you about \$160,000; where are you going to get the money?

MS. BROWN:

Well, we have our money that we're going to use, myself and my colleagues. We'll also have the backing of other contractors that are interested in helping us along the way. They're interested in donating their labor at no cost for our first project, and of course if they have to do any layout for materials we will reimburse them on the back end.

CHAIRMAN GULDI:

So you have that kind of capital available?

MS. BROWN:

Yes.

LEG. CRECCA:

Can I speak on that?

CHAIRMAN GULDI:

Mr. Crecca, go ahead, I'll suffer the interruption.

LEG. CRECCA:

No, just -- I apologize. On the same thing Legislator Guldi is talking about, what type of financing do you have available? Because I know you said you have your own funds, and I hate to get specific but we want to obviously, if we're going to approve something, make sure that that project has a likelihood of success.

LEG. BISHOP:

(Inaudible).

LEG. CRECCA:

Well, there is another resolution I understand, 2041 which it goes to the town through a program, but that's -- what type of financing does NU-OP Association --

MS. BROWN:

Okay. As I said, we are in our infancy stages and we haven't been involved in any fund-raising as yet. However, myself and my colleagues, we do have our own capital and we do have the backing of contractors that are willing to donate their labor to us at no cost.

LEG. CRECCA:

But specifically when you say we have our own capital, is that money in NU-OP now?

MS. BROWN:

No, but we are willing to put it in NU-OP. If we have to donate money, which we probably will, we're going to donate money to the organization ourselves.

LEG. CRECCA:

Okay. But right now NU-OP doesn't have --

MS. BROWN:

NU-OP doesn't have any capital at all until we do the donations.

LEG. CRECCA:

Okay.

CHAIRMAN GULDI:
Legislator Viloría-Fisher.

LEG. VILORIA-FISHER:
Mr. Chair, I just asked Counsel what the disposition of the town is at this time and there's not a resolution from Brookhaven Town yet to accompany this.

13

CHAIRMAN GULDI:
This is Babylon Town.

LEG. VILORIA-FISHER:
I mean Babylon -- it's started with a B -- that's number one. And I would assume that it would be the town that would have to vet the organization. The organization would have to be vetted by the town before the town passes the property over to NU-OP; Counsel, is that correct?

MR. SABATINO:
Yes. First of all, the resolution is structured to give it to the Town of Babylon as a 72-h because that's the only way you can do it under State law. And in this case, the not-for-profit would act as the intermediary -- I'm sorry, town would be the intermediary, the not-for-profit would then be the pass along to do the work.

The second thing is the resolution has been tabled a couple of times in search of the town resolution; my records still don't show a town resolution unless something has happened in the last cycle.

CHAIRMAN GULDI:
So it's going to have to be tabled again pending that resolution --

LEG. VILORIA-FISHER:
Ms. Costigan?

CHAIRMAN GULDI:
-- in any event, so we're not going to resolve the background on this today, if I may. The one thing I do want to say to Ms. Brown, however, is I don't want to discourage you or anyone from trying to meet the affordable housing needs in Suffolk County; we're about 95,000 units short, every unit helps. However, for us as the fiduciaries of the County taxpayers who own this asset today, before we release an asset to be used by a new organization for affordable housing purposes, we're going to have to see in detail who the organizations are, who the contributors are, what the commitments to the organization are, where are they going to get the money to bring

the house to usable condition from market, and then when it's finished what mechanism and procedures are they going to use for the selection of the ultimate beneficiary for the house to make sure that it's fair and balanced, you know, that it's simply not a wired transaction, etcetera? All of that stuff is going to have to be presented in great detail to this and to any other governmental body to do its job.

Now frankly, we cannot act on this today, it's not ready, there's not a resolution before us. And next year when you come back on this or some other project I won't be here to present to, but that's the kind of presentation you're going to need to make to convince the government to give you a house to renovate.

LEG. BISHOP:

Mr. Chairman, if I may?

CHAIRMAN GULDI:

Mr. Bishop.

14

LEG. BISHOP:

In this circumstance we're transferring to the town, doesn't that exhaustive vetting process, isn't that the town's obligation?

LEG. VILORIA-FISHER:

I think I put that on the record.

CHAIRMAN GULDI:

See, I would disagree, I think it's the town's obligation, I think it's also our obligation. And frankly, in my opinion, it has to occur to the satisfaction of both levels of government, not one or the other.

LEG. BISHOP:

Well, I think that's a formula for -- I hope that's how we do it. I mean, as long as we can trust the other level of government and we have a reverts clause that we're willing to enforce, then I think that the way these programs should be structured is we have the asset, we're willing to transfer it down to the lower level on the condition that they follow through and create affordable housing. And frankly, this person in the future shouldn't have to come before us, it should be the Town of Babylon that comes before us and say, "Hey, we want to do this property into our program and we have a vendor," which in this case would be NU-OP.

CHAIRMAN GULDI:

Frankly, if that was the -- if this resolution was in the form of a straight transfer to Babylon for its use and affordable housing and not directly naming the NU-OP or the secondary party, then I would

agree with you, but this one doesn't do that; this one says to Babylon for this organization for this purpose. So I think we need to look at all the elements.

LEG. BISHOP:

Let me further complicate it. Isn't Babylon the town that has said that they're going to use their affordable housing money to the extent that they are guaranteed money from the County? I don't think they are but we have a program in the Multi-faceted Program, I assume -- is that what it is, Paul -- where there's capital money set aside to buy property and turn it over to the towns for the development of affordable housing. Well, Babylon is 100% developed, or 99% developed, so they said what we would rather do is use access to that money to renovate existing parcels. How does that -- how would that system work and is this one of the first ones in that program?

CHAIRMAN GULDI:

I don't think so, no.

LEG. BISHOP:

Is this contemplating something like that?

MS. BROWN:

May I speak? I did hear about the program that you're speaking of, that there is capital to assist organizations to renovate.

15

LEG. BISHOP:

Right.

MS. BROWN:

However, I haven't been able to make any headway with that.

LEG. BISHOP:

Yeah, nobody has. We have made no headway in anything on affordable housing of any significance, unfortunately.

CHAIRMAN GULDI:

Unfortunately, though some of us have tried.

LEG. BISHOP:

Okay.

CHAIRMAN GULDI:

I think a motion to table is in order.

LEG. BISHOP:

We're going to table this but it's not a -- you know, we want to work

with you but we're going to have to -- I think the next step is you have to go to the town; is that right? Why don't we give her a road map --

MR. SABATINO:

Everything all of you said is actually true, it's just you have to make it all happen.

CHAIRMAN GULDI:

For a change.

DIRECTOR COSTIGAN:

That's what I was going to say.

LEG. VILORIA-FISHER:

Christine's been waiting to speak.

MR. SABATINO:

You have to make it all come together. You need a town resolution, the parties were advised on July 9th. You need a town resolution because the town resolution -- the issues you just raised, Legislator Bishop, would be addressed because the town would have put together a pack and a plan, part of which might have been that renovation money that was recently approved. Chairman Guldi's point would also be addressed because then you'd have a town resolution, you'd see what the details are in terms of what they're going to propose and then you would still have the ability to make a judgment as to whether or not the plan made sense. But the key is you have to have a town resolution committing to that affordable housing concept because you can't transfer under 72-h to anything other than another government.

LEG. BISHOP:

The town passes a resolution, then what do we need?

16

MR. SABATINO:

They pass a resolution and then normally what happens is they ask the County for a supporting resolution. In this case, the process has been reversed, so if you can get the resolution from the town identifying what they proposed to do, then this committee would look at it and make a decision. If it was approved then the land would be transferred to the Town of Babylon and they would work with the party that was named in the resolution, in this case NU-OP, to do the project.

LEG. BISHOP:

Okay. Is that helpful?

MS. BROWN:
Yes.

DIRECTOR COSTIGAN:
The oddity, if you will, is that the ultimate user is named in the resolution here.

MS. BROWN:
Right.

DIRECTOR COSTIGAN:
The reason I'm sitting here is that -- I mean, we do handle the paperwork on this but we don't want to imply that we have done any vetting of the situation and it is different from all the others, for whatever reason.

LEG. VILORIA-FISHER:
Before you leave, Ms. Brown, I would like to commend you on your effort to help those coming after you, putting your hand out to help those who want to fulfill the same dreams that you had for yourself.

MS. BROWN:
Thank you.

LEG. VILORIA-FISHER:
And it's a great way -- it's a great effort after your retirement to put forth this help to other people. Congratulations and thank you.

MS. BROWN:
Thank you. Enjoy the holiday, everyone.

CHAIRMAN GULDI:
Thank you. On the motion to table.

LEG. VILORIA-FISHER:
Is there a second?

CHAIRMAN GULDI:
Yes, you did, your second.

LEG. VILORIA-FISHER:
Okay.

17

CHAIRMAN GULDI:
All those in favor?

LEG. CRECCA:
This is on the tabling?

CHAIRMAN GULDI:

Yes, a tabling motion. All those in favor? Opposed? Tabled.

LEG. VILORIA-FISHER:

Mr. Chair, we didn't make a motion to take it out of order, by the way. It's the third one in.

CHAIRMAN GULDI:

All right. So --

LEG. VILORIA-FISHER:

I'll make a motion to take 1608 out of order.

CHAIRMAN GULDI:

And table.

LEG. O'LEARY:

Second.

CHAIRMAN GULDI:

Second. All those in favor? Opposed? It's now taken out of order and tabled. 1608-03 - Authorizing conveyance of parcel to Town of Babylon for transfer to NU-OP Association Corp, Inc. (Section 72-h, General Municipal Law) (Postal). Tabled (VOTE: 6-0-0-1 Not Present: Legislator Fields).

We don't have any other cards, we'll move right to the agenda.

LEG. CRECCA:

Excellent.

CHAIRMAN GULDI:

Is that all right with you?

LEG. CRECCA:

Wonderful.

CHAIRMAN GULDI:

On the record, I want to commend you, Legislator Crecca. You're the first member of this body to my knowledge to ever lose the race for Presiding Officer before December 15th.

LEG. CARACCILOLO:

January 15th.

CHAIRMAN GULDI:

No, before December 15th.

LEG. CARACCILOLO:

December 15th, okay.

18

LEG. CRECCA:

Thank you, George. And you know, it's always my pleasure to be a first at whatever it is.

CHAIRMAN GULDI:

Stunning; yet another stunning career achievement.

LEG. CRECCA:

And the same to you, George.

CHAIRMAN GULDI:

That's all right, I'm getting a promotion and a raise.

Tabled Resolutions

1477-03 - To reform oversight of Suffolk Employee Medical Health Plan (EMHP) (Guldi). Actually this is six month rule; isn't it, Counsel?

MR. SABATINO:

No, not yet, but it will be odd year rule instead.

CHAIRMAN GULDI:

Okay. Motion to table.

LEG. CARACCILOLO:

Mr. Chairman, I know this is your resolution but if you or Counsel could you just briefly summarize what the intent and objective was.

CHAIRMAN GULDI:

The intent --

LEG. CARACCILOLO:

I know you're tabling it, but I want to know if it's something that should be resurrected after the first of the year.

CHAIRMAN GULDI:

The answer to that would depend on Mr. Hevesey's report since he's doing an audit and there's no sense in doing anything with the program until the audit trail is completed.

LEG. CARACCILOLO:

Do we know when --

CHAIRMAN GULDI:

It would determine when and what that audit said. And no, you'd have

to ask him.

LEG. CARACCIOLO:

You don't know when the audit will be completed.

CHAIRMAN GULDI:

Motion to table by myself.

LEG. CARACCIOLO:

You don't know.

19

CHAIRMAN GULDI:

No, I don't know.

LEG. CARACCIOLO:

Okay.

LEG. CRECCA:

Second.

CHAIRMAN GULDI:

Second by Legislator Crecca. Discussion? All those in favor? Opposed?
Tabled (VOTE: 6-0-0-1 Not Present: Legislator Fields).

I do know one thing, Mike, it's not my problem after the first of the year.

1485-03 - Implementing Brownfield Policy for Poulos Property in Eastport, Town of Brookhaven (SCTM Nos. 0200-686.00-04.00-019.000; 0200-686.00-04.00-019.001; 0200-686.00-04.00-019.002; 0200-686.00-04.00-020.000 and 0200-723.00-02.00-029.000) (Caracciolo). Speaking of one that's not going to be my problem after the first of the year.

LEG. CARACCIOLO:

Well, we will revisit this resolution because it will be refiled and I'm looking forward to having the Real Estate Division come in next month, or late, late next month and the Division of Environment -- what is it, Vito Minei's shop, Paul.

MR. SABATINO:

Environmental Quality Services.

LEG. CARACCIOLO:

Right, come in and make a presentation. Because contrary to information I think you've been led to believe, the facts surrounding this property and potential clean-up are substantially different than

representations that have been made and I think it's time to put those on the record.

CHAIRMAN GULDI:

Well, all I can say, Mike, is have fun. I think you're making a heck of a mistake. Your motion to table, right?

LEG. CARACCILOLO:

Yes.

CHAIRMAN GULDI:

Okay, I'll second that. All those in favor? Opposed? Tabled (VOTE: 6-0-0-1 Not Present: Legislator Fields). Yet another disaster for the County in progress.

1801-03 - Adopting Local Law No. 2003, a Charter Law to creating Taxpayer's Office of Inspector General (Caracciolo).

LEG. CARACCILOLO:

Motion to table, work in progress.

20

LEG. O'LEARY:

Second.

CHAIRMAN GULDI:

Motion to table by Legislator Caracciolo, second by Legislator --

LEG. BISHOP:

(Inaudible).

LEG. O'LEARY:

Second on the tabling.

CHAIRMAN GULDI:

Legislator O'Leary on the second. All those in favor? Opposed? Tabled (VOTE: 6-0-0-1 Not Present: Legislator Fields).

1836-03 - Adopting Local Law No. 2003, a Charter Law to dispose of all surplus County vehicles via public auction (Carpenter). The public hearing on this is is closed, is that correct?

LEG. CRECCA:

That's correct. And the sponsor did make some changes; is that correct, Counsel?

MR. SABATINO:

That's correct.

LEG. BISHOP:

Motion to table. What changes, what's the limits?

CHAIRMAN GULDI:

Why table it? I want to kill it.

LEG. CRECCA:

I would ask Counsel to do it because I don't want to misspeak, I just know that she made some changes based on some of the concerns that yes, Dave, you and Legislator Guldi raised.

LEG. BISHOP:

(Inaudible).

MS. MAHONEY:

Can you use your microphone, please?

CHAIRMAN GULDI:

You're allowed to smack him if he does that, all right?

MR. SABATINO:

Okay, the original version was to have all surplus vehicles go directly to public auction without that exception for the municipalities and the not-for-profits and the non-profits and the auxiliary police. The corrected copy that was done since the last time you met does two things, the most important of which is it provides an exception to that auction process for those vehicles going to those municipalities and not-for-profits, but it still has to be at fair market value. So instead of having it competitive where it could

21

be bid above fair market value, instead of being \$200, if you wanted to go directly to the municipality or the not-for-profit it would be fair market value, whatever that value is that Purchasing gives you, but it wouldn't get bid above that; that's the exception.

CHAIRMAN GULDI:

I want to make a motion to approve for the purpose of defeating.

LEG. VILORIA-FISHER:

I'm sorry, Counsel, I just wanted to go back to that. So if we were donating or selling a vehicle to a school district, they have the right of first refusal at fair market value?

MR. SABATINO:

Fair market value. If you think conceptually, right now you've got resolutions that come before you and there's a value associated with

it from Purchasing, say it's \$6,000.

LEG. VILORIA-FISHER:
Right.

MR. SABATINO:
You've been doing those for 200. If it went to a bid the 6,000 would be the starting point, it might wind up going for 7,000.

LEG. VILORIA-FISHER:
Right.

MR. SABATINO:
But what Legislator Carpenter is proposing here is that you get a first shot to do a direct sale but not at \$200, it would be at the fair market value.

LEG. VILORIA-FISHER:
At the fair market value, okay.

LEG. CARACCILOLO:
Motion to approve.

LEG. BISHOP:
How is that being determined?

CHAIRMAN GULDI:
Well, consult your local junk yards to determine what --

LEG. CARACCILOLO:
You have the blue book.

LEG. BISHOP:
Is it blue book, is that what we're using, is that the standard we're using?

LEG. CARACCILOLO:
I don't know.

MR. SABATINO:
I don't know how Purchasing does it, but I would assume they're using -- I would assume they're using blue book, but I don't speak for them, I don't know how they do it. All I know is that we have documents that come -- I mean, they're official documents that come from a County agency which say this is the value, these are the miles, this is the serial number; you have to rely on the information at the starting point as being accurate.

LEG. BISHOP:

They currently attach values to the vehicles now?

CHAIRMAN GULDI:

Yes.

MR. SABATINO:

Right, that's been the whole dispute where we had the report that showed \$200 versus what the market value is results in whatever it is.

LEG. CARACCILOLO:

That was a control for you, Dave.

LEG. VILORIA-FISHER:

Budget Review, do you know how they arrive at the values?

MR. SPERO:

No, I don't.

LEG. CARACCILOLO:

Motion to approve.

LEG. CRECCA:

Second.

CHAIRMAN GULDI:

We have a motion to approve and a second. Further discussion? All those in favor? Four yeses. Opposed? Two. It's approved
(VOTE: 4-2-0-1 Opposed: Legislators Guldi & Bishop - Not Present: Legislator Fields).

1851-03 - Adopting Local Law No. 2003, a Charter Law facilitating partial County funding of voluntary public financing for County elections through County's contract processing fee (Viloria-Fisher).

LEG. CARACCILOLO:

Explanation.

CHAIRMAN GULDI:

Counsel?

MR. SABATINO:

Okay, this is the proposal to have partial County funding for the existing Campaign Finance Law by imposing a contract processing fee on all County contracts. It's done on a sliding scale basis based on the value of the contract, so it starts at \$50 for contracts that are from ten -- I'm sorry, up to \$10,000 but not in excess of 49,000, then it

scales all the way up to as much as \$1,000 for contracts that are a million or more and the sliding scale in-between is \$800, \$400, \$200, \$100. This would be subject to a referendum because the original law was done by a referendum; so in effect, it would provide for supplemental funding through this processing fee.

LEG. CARACCILOLO:

Question, Mr. Chair? Vivian, I'm inclined to support this, just so you know where I'm going. Do we have any estimate of what it might generate in terms of additional revenue for the rather anemic campaign finance?

MR. SABATINO:

The projection that was done based on --

LEG. VILORIA-FISHER:

Five hundred thousand dollars.

MR. SABATINO:

It was \$500,000.

LEG. CARACCILOLO:

Okay. List me as a cosponsor.

CHAIRMAN GULDI:

Doomed. Okay.

LEG. CARACCILOLO:

You're leaving, George, be nice.

CHAIRMAN GULDI:

This is me being nice, Mike.

LEG. CRECCA:

On the motion.

CHAIRMAN GULDI:

On the motion, Legislator.

LEG. CRECCA:

Yeah. Basically, this is for any contract with the County?

CHAIRMAN GULDI:

Yeah.

LEG. VILORIA-FISHER:

Yes.

LEG. CRECCA:

So isn't that cost just going to be passed right back on to the County?

CHAIRMAN GULDI:

It is now only it goes to private fund-raisers and a lower rate schedule.

24

LEG. CRECCA:

Does that mean Paul Tonna is going to have to -- no, I'm just kidding -- kick in also?

CHAIRMAN GULDI:

Actually, in here I thought there was nothing in the world that could make me want me to support Paul Tonna for Presiding Officer, even I can learn.

LEG. CRECCA:

While I certainly commend the sponsor for making an attempt at this, again, I don't support, because of the other referendums, public financing. And I think by the contractors doing -- imposing a fee on contractors who are doing business with the County is in itself a process by which ultimately the taxpayers are paying for this anyway.

LEG. VILORIA-FISHER:

Well, you know, the taxpayers, people pay for title companies who are paying these subscriptions to get on to the website and get information. There are fees in any number -- there are any number of manners in which we effect fees for different services.

Many of these contractors -- when I initially introduced this resolution which was about a year ago, I did quite a bit of research and many of the contractors who are -- whose names come before us over and over again who are getting contracts, I happened to do a little bit of cross reference with those and those were also very high contributors. I only looked at one finance report and looked at the level at which those contractors were contributing and they contributed quite a bit. There has to be some cause and effect with the level of contribution and the level of contracts that they were awarded, and so I believe that the taxpayer is already paying for this.

CHAIRMAN GULDI:

Okay.

LEG. CRECCA:

(Inaudible), and I don't mean that in a bad way, I'm just saying.

LEG. VILORIA-FISHER:

Let's hope it would. And besides, we're letting this go back to the taxpayers to vote on it.

LEG. CRECCA:

(Inaudible).

CHAIRMAN GULDI:

That's true, this isn't a question of whether we're approving this, it's a question of whether we're letting the voters vote on it. On the question, we have a motion.

LEG. CARACCILOLO:

Second.

25

CHAIRMAN GULDI:

And a second to approve. All those in favor? Opposed?

LEG. CRECCA:

Opposed.

LEG. O'LEARY:

Opposed.

LEG. CRECCA:

I'll abstain actually.

CHAIRMAN GULDI:

Three in favor, one in opposition, one abstention, two absent.
(VOTE: 3-1-1-2 - Opposed: Legislator O'Leary - Abstention: Legislator Crecca - Not Present: Legislators Bishop & Fields). So that would mean -- I will make a motion to table.

LEG. O'LEARY:

I guess it failed.

CHAIRMAN GULDI:

It takes four.

LEG. CARACCILOLO:

Can we pass over this?

LEG. VILORIA-FISHER:

Where is David?

LEG. CRECCA:

We're in the middle of a roll call. You've got to make a motion to table until David gets here.

LEG. CARACCILO:
Motion to table.

CHAIRMAN GULDI:
Yeah, we'll make a motion -- I made the motion to table, Legislator Caracciolo is seconding the motion to table. All those in favor? Opposed? Tabled for now (VOTE: 5-0-0-2 Not Present: Legislators Bishop & Fields).

LEG. BISHOP:
What do I have to vote on? I'm with the Chairman, how do we vote?

CHAIRMAN GULDI:
1851 on the Campaign Finance Reform Referendum.

LEG. BISHOP:
I'm in favor of it.

CHAIRMAN GULDI:
Okay. Motion to reconsider the tabling by myself, second by Legislator Caracciolo. All those in favor? Opposed?

26

MR. SABATINO:
He's got to make the motion to do that.

CHAIRMAN GULDI:
Legislator Bishop is making the motion to reconsider.

LEG. BISHOP:
Am I on the prevailing side?

CHAIRMAN GULDI:
Yes, you are. All those in favor? You're not on any side yet. All those in favor? Opposed?

LEG. O'LEARY:
Opposed.

CHAIRMAN GULDI:
One opposed to reconsideration, it's now before us. We have a motion to approve and a second --

LEG. CARACCILO:
By me.

CHAIRMAN GULDI:

-- by Legislator Caracciolo. All those in favor would be Legislator Bishop, Legislator Vilorio-Fisher, Legislator Guldi, Legislator Caracciolo, which means four. Opposed would be Legislator O'Leary and --

LEG. CRECCA:

I'll take an opposed on that.

CHAIRMAN GULDI:

Okay, so it's now 4-2, approved (VOTE: 4-2-0-1 Opposed: Legislators Crecca & O'Leary - Not Present: Legislator Fields).

1855-03 - Authorizing the sale of three (3) surplus County cars to Southampton School District (Guldi). This was the one that got defeated before everybody else's got approved, and it went down in flames on a party line vote here.

LEG. O'LEARY:

Motion to approve.

CHAIRMAN GULDI:

Motion to approve.

LEG. CRECCA:

And second by me.

CHAIRMAN GULDI:

Oh, knock me over with a dish towel. Motion to approve by Legislator O'Leary and a second by Legislator Crecca. Discussion? All those in favor?

27

LEG. VILORIA-FISHER:

They are all going to be emblazoned with Legislator Guldi, compliments of Legislator Guldi.

CHAIRMAN GULDI:

Yeah, I don't think so. All those in favor?

LEG. CARACCIOLO:

Opposed.

CHAIRMAN GULDI:

Okay, approved (VOTE: 5-1-0-1 Opposed: Legislator Caracciolo - Not Present: Legislator Fields).

1856-03 - Adopting Local Law No. 2003, a Local Law to authorize the establishment of fees in the Department of Health Services, Division of Medical-Legal Investigation and Forensic Sciences for requests for cremation approvals (County Executive).

LEG. CARACCILO:
Motion.

LEG. CRECCA:
Second.

CHAIRMAN GULDI:
Motion to approve and a second. The hearing on this was closed, Counsel?

MR. SABATINO:
Yes, it's a \$30 fee and the public hearing was closed.

CHAIRMAN GULDI:
All those in favor? Opposed? Approved (VOTE: 6-0-0-1 Not Present: Legislator Fields).

1836 (sic) (1863-03) - Adopting Local Law No. 2003, a Charter Law to ensure integrity in Suffolk County land transactions by disclosing campaign contributions (Cooper).

LEG. CARACCILO:
Motion and cosponsor.

LEG. BISHOP:
Mr. Chairman, it's 1863; you transposed, you said 1836.

CHAIRMAN GULDI:
Did I? Well, it's a hell of a disability, that's all I can say. On the motion; Counsel, explanation.

MR. SABATINO:
Okay. This would require any individual who is offering to sell an interest in real estate to the County of Suffolk County to disclose any campaign contribution that was a thousand dollars or more during the previous 36 month period as made through the normal run of elected officials, political committees, political parties. And also they

would be obligated to disclose any business, commercial, financial, economic or business relationship with any elected official or appointed official in County government. So it would be a double disclosure when somebody is going to sell land to the County of

Suffolk. In addition, they would have to file a sworn affidavit with the Suffolk County Ethics Commission, the Division of Real Estate, District Attorney, Police Department and the County Legislature, and the balance of the bill talks about the penalties.

LEG. CARACCILO:
Mr. Chairman.

CHAIRMAN GULDI:
Legislator Caracciolo.

LEG. CARACCILO:
As I stated previously, this is a modified slightly -- I won't say watered down but modified version of some legislation I proposed earlier this year. I'm going to cosponsor it, I think it's a real attempt to provide the public with transparency as to what goes on in this County vis-a-vis campaign contributions and I applaud Legislator Cooper for this legislation.

CHAIRMAN GULDI:
Does the department have a position on this bill?

DIRECTOR COSTIGAN:
Yes, Mr. Chairman. I would observe that this bill creates a lifetime obligation on any person who considers selling property to the County. It refers not to transactions but to people who offer property as well.

CHAIRMAN GULDI:
You see, the problem I'm concerned with is this. I mean, the classic scenario, one I know of, for example, a real scenario; in 1989 a lawyer called the Real Estate Division to ask if they wanted to buy his client's piece of property, the client wasn't aware of the phone call. Who files the affidavit and what's it say?

DIRECTOR COSTIGAN:
I don't know, but at that very point somebody --

CHAIRMAN GULDI:
Somebody has a --

DIRECTOR COSTIGAN:
-- faces as criminal penalty for not filing it.

CHAIRMAN GULDI:
For not filing the affidavit, although the owner --

DIRECTOR COSTIGAN:
Didn't even know.

CHAIRMAN GULDI:

-- certainly couldn't be held criminally liable for the actions of a third party that he wasn't aware of.

DIRECTOR COSTIGAN:

Indeed, according to the statute, the lawyer would be liable, it says, "Any person offering," it doesn't say the owner.

CHAIRMAN GULDI:

Right. So if the lawyer had made contributions, you would get the lawyer's contributions, not the owners.

DIRECTOR COSTIGAN:

That's true, yes.

CHAIRMAN GULDI:

I'm somewhat confused by that.

DIRECTOR COSTIGAN:

It is indefinite in that regard. It is permanent which I just can't make any sense out of why you would have the person file for the rest of their life, it goes for every year thereafter.

CHAIRMAN GULDI:

So the lawyer who called up on behalf of the client, made the offer that the County didn't take, would be required to file annual affidavits for any time that they gave any money to any political candidate in the County.

DIRECTOR COSTIGAN:

For the rest of their life. But further, I think this legislation misses the point that --

LEG. BISHOP:

Motion to table by myself.

CHAIRMAN GULDI:

I'll second the motion to table. Have you had conversation -- could you have conversations with the sponsor? The purpose -- I mean, if you can develop a form affidavit to be used in connection with transactions that are closing that would give you your disclosure and your transparency and to meet the objectives of the bill, I think it would be supported by the Legislature. But the concern -- the bill doesn't match the reality of real estate practices is the problem.

DIRECTOR COSTIGAN:

I think that's correct. The sponsor never did --

LEG. BISHOP:

Why just real estate? The whole thing is strange. Why don't we table it, I think there's going to be a real effort at reform in the next year on a whole host of these issues and it's best taken up as part of that effort. So I'm going to make a motion to table.

30

LEG. CARACCILOLO:

In the spirit of cooperation, I will support the motion to table and I will personally take this up with Mr. Levy to see if the Executive and Legislative level, we could reach some compromise on a new approach.

LEG. BISHOP:

You got it.

CHAIRMAN GULDI:

Okay. All those in favor? Opposed? Tabled (VOTE: 6-0-0-1 Not Present: Legislator Fields).

1884-03 - Adopting Local Law No. 2003, a Local Law to repeal annual audit of County Forfeiture Funds (Postal). Motion by myself. This is -- this audit has cost --

LEG. BISHOP:

Motion -- Counsel? I'm sorry, I have to wait for Counsel.

MS. BURKHARDT:

Mr. Chairman, I don't think we closed the public hearing on this, I think it's recessed.

LEG. CRECCA:

What number are you on?

CHAIRMAN GULDI:

1884.

LEG. BISHOP:

Oh, okay, it's going to be tabled anyway. Well, let me just put on the record then that I -- as I said several times, I think it's fine to repeal the annual audit requirement, but it should be replaced by something higher than the occasional audit when it's at the whim of the Comptroller.

CHAIRMAN GULDI:

Well, I would suggest that --

LEG. BISHOP:

Because these are the only funds in government that I'm aware of that are controlled by one branch of government entirely.

CHAIRMAN GULDI:

Counsel, have you -- has the public hearing on this been closed or is it recessed?

MR. SABATINO:

The public hearing was closed at our last session.

CHAIRMAN GULDI:

So it is eligible for a vote today.

LEG. BISHOP:

Motion to table.

31

CHAIRMAN GULDI:

I think that -- we have a motion to table and a second. On the motion to table, I'm going to oppose tabling. I think that your concern that there should be some other audit beyond the standard audit committee review of this --

MR. SABATINO:

Wait, I apologize. I apologize. No, it was recessed at the last meeting. I apologize.

CHAIRMAN GULDI:

It was recessed.

MR. SABATINO:

It was recessed till the 16th.

CHAIRMAN GULDI:

All right, so it will have to be tabled. But I suggest that you can do that by separate legislation and that it not be inherently wrapped in this legislation. The annual audit has proved to be totally superfluous and expensive and has deprived the County of its audit facility for other departments and needs during the period that this has been annually audited.

LEG. BISHOP:

I concur, but there should be a much higher standard for funds that are solely in the discretion of one level of government. And so if it's not going to be an audit every year, there should at least be a disclosure requirement in the repeal so that we can tie it together and get it all done in one --

CHAIRMAN GULDI:

And on that point of it being in the control of one level of government, I submit that it's not. In fact, I submit that this actually is already subject to a higher level of review because of the Federal Forfeiture Rules and the Federal oversight, you've actually got another level of government seeing that every expenditure is in compliance with a complex set of regulations which is unlike what our ordinary expenditures are. This is already subject to a higher level.

LEG. BISHOP:

I'm going to let you have the last word because you won't be here.

LEG. CRECCA:

I was just going to say, can't you boys agree to disagree and move on?

CHAIRMAN GULDI:

It ain't the last word.

LEG. VILORIA-FISHER:

All those in favor? Opposed? It's tabled (VOTE: 6-0-0-1 Not Present: Legislator Fields). The public hearing is still open so it can't be voted on

1916-03 - Sale of County-owned real estate pursuant to Local Law 13-1976 Rod Staten Corp (0200-183.00-01.00-011.000). We tabled this for more information, Counsel?

MR. SABATINO:

It was tabled to get disclosure on who the principal -- who the Staten Corporation is, that was the question that came up at the last committee meeting.

LEG. CARACCILO:

Do we know?

CHAIRMAN GULDI:

Did we receive anything on this?

LEG. O'LEARY:

Yeah, Federal Express yesterday, I got something on it.

LEG. VILORIA-FISHER:

I got it yesterday.

LEG. CRECCA:

Yeah, I did see this, I didn't read it.

LEG. CARACCILO:

Counsel, did you receive this?

MR. SABATINO:

That letter came to my office on Friday. I sent a response saying you're under no obligation to answer the questions that he raised in that letter because he's currently suing you on several other auctions. So I wouldn't answer those questions because of litigation. Mr. Toussie's attorney wrote the letter.

LEG. CRECCA:

Who owns this, Toussie?

CHAIRMAN GULDI:

I'm going to motion a make to table subject to call --

LEG. CARACCILO:

Second.

LEG. O'LEARY:

Second.

CHAIRMAN GULDI:

-- and direct the Division of Real Estate to review this parcel for inclusion in Affordable Housing Programs for the County and/or transfer to the town for those purposes.

LEG. O'LEARY:

Seconded.

LEG. CARACCILO:

There you go, George, go out with bang.

33

LEG. CRECCA:

Do you need a motion on that?

CHAIRMAN GULDI:

I made a motion to table subject to call and made the direction. On the motion to table subject to call, all those in favor? Opposed? Tabled subject to call (VOTE: 6-0-0-1 Not Present: Legislator Fields).

LEG. CARACCILO:

If perhaps the Clerk or the Deputy Clerk could make note of what the Chair just cited as far as a recommendation so that early next year there's a follow-up direction so there's follow-up with the new committee and the new committee chair; that's very important for continuity.

CHAIRMAN GULDI:

1917-03 - Adopting Local Law No. 2003, a Local Law to authorize the establishment of fees in the Real Property Tax Service Agency for Subscription Services (County Executive).

LEG. CRECCA:

Motion to approve.

LEG. O'LEARY:

Motion to approve.

LEG. CRECCA:

And on the motion.

CHAIRMAN GULDI:

Motion to approve by Legislator Crecca, second by Legislator O'Leary.

LEG. CRECCA:

On the motion.

CHAIRMAN GULDI:

Do you really have to speak on the motion?

LEG. CRECCA:

I just want to state that --

CHAIRMAN GULDI:

Oh, okay; now everybody wants to talk on the motion. Go ahead.

LEG. CRECCA:

No, I'm going to --

CHAIRMAN GULDI:

Go ahead, try and talk us out of it.

LEG. CRECCA:

No, I'm going to support the motion to approve, I think that they have worked it out. But I do want to note that I still would like to see Budget Review's report prior to the vote next Tuesday, so I will support the motion to approve with that caveat.

CHAIRMAN GULDI:

Will Budget Review be able to meet that kind of a deadline?

MR. SPERO:

We're meeting with the -- we met with Real Property Tax Service Agency

yesterday, we're meeting with the Clerk now, we will have a memo for you on Tuesday.

CHAIRMAN GULDI:

Ah, okay.

LEG. CRECCA:

Ah, beautiful.

CHAIRMAN GULDI:

Yeah. I was going to say, your choice is a yes or no, Jim; and that was a yes, right?

MR. SPERO:

We can attempt to make a determination that there's no conflict in the fee schedule.

CHAIRMAN GULDI:

No; yes, you will have a --

MR. SPERO:

We'll have a memo.

CHAIRMAN GULDI:

Thank you. Okay?

LEG. BISHOP:

The public record regarding this resolution is lengthy and I tried not to contribute to it, but I do have one concern and it may be a misunderstanding. What I want to understand is that if I am a member of the public, I guess I'm not as a Legislator.

CHAIRMAN GULDI:

You're not.

LEG. BISHOP:

If I'm a member of the public, not in business, and I just want to access information regarding my aunt's parcel from the Real Property Tax Service, do I have to pay some sort of --

LEG. VILORIA-FISHER:

No, you go there personally. This is for the Internet access, remote Internet access.

LEG. BISHOP:

Okay.

LEG. CRECCA:

It's for larger clients to pay one fee instead of paying all little fees; you can still pay your little fee as an individual.

LEG. BISHOP:

I can still pay my little fee and I can still access it over the Internet?

CHAIRMAN GULDI:

No.

LEG. CRECCA:

I don't know about that.

LEG. BISHOP:

Okay. So the only way I can access over the Internet is to pay the large fee, no matter if I'm, you know, Aunt Josie or, you know, X title company.

LEG. CARACCILOLO:

Or go to the County center.

CHAIRMAN GULDI:

Yeah, and it's even more complicated than that. Let's say you worked in a law office and the law office had one terminal where the Real Estate -- the dragon who is in charge of the real estate operations to the office had the access point through her computer, you couldn't access it from another computer in the same office and if you went near the computer the dragon would get you.

LEG. BISHOP:

In any case, if only the people on the east end knew then the election would be far different.

LEG. CARACCILOLO:

Yeah, ten years ago.

CHAIRMAN GULDI:

Ah, but the people of the east end did know ten years ago.

LEG. BISHOP:

No, what I have preached on other --

CHAIRMAN GULDI:

Uh-oh.

LEG. CRECCA:

Don't preach.

LEG. BISHOP:

-- government Internet initiatives is that when we have information that we want to make available to the public, we should do so in a democratic fashion, small d, and I'm not sure that this meets that philosophy. It seems like we're -- I understand, we want to get the big title companies and we want to make sure that they're paying their fair share, I'm not sure if a flat fee mechanism is the way to do it. It seems to me that we should also have something for the very little guy in this access initiative. So that's my concern.

36

CHAIRMAN GULDI:

Well, this isn't it. Okay? All those in favor? Opposed?

LEG. BISHOP:

Opposed.

CHAIRMAN GULDI:

Approved. You're opposed.

LEG. BISHOP:

Yes.

CHAIRMAN GULDI:

Okay, approved 5-1 (VOTE: 5-1-0-1 Opposed: Legislator Bishop - Not Present: Legislator Fields).

1978-03 - A resolution rescinding Bond Resolution No. 793-2003, Adopted September 16, 2003, and repealing the authorization of the issuance of \$23,000 Serial Bonds of the County of Suffolk, New York, to pay part of the cost of the purchase and installation of Bus stop Location Signs (CP 5651) (County Executive). Why is this one here?

LEG. VILORIA-FISHER:

Because the State came across with the money and somehow --

LEG. CRECCA:

I think that's what it is.

CHAIRMAN GULDI:

Let us know.

MR. CHUISANO:

Hello. I'm Carmine Chuisano from the Budget Office. The reason why this is here is there were two Capital Projects under 5651 adopted this year, the earlier one was for stop sign locations, it was Resolution 112-2003 and the Bond Authorization was 111-2003. The later resolution appropriated \$195,000 under Capital Project 5651 for the purchase and installation of bus shelters. The bond auth -- the correct Bond Authorization for that project was not adopted, the

earlier Bond authorization, 111-2003, was adopted twice. So all we're trying to do is rescind the incorrect Bond Authorization and replace it with the correct Bond Authorization.

CHAIRMAN GULDI:

Okay. Motion to approve by myself.

LEG. O'LEARY:

Second.

MR. CHUISANO:

Thank you.

CHAIRMAN GULDI:

All those in favor? Opposed? Approved (VOTE: 6-0-0-1 Not Present: Legislator Fields).

37

You know, there was one of these in Real Estate for three and a half million dollars yesterday that no one was there to speak on, it's been tabled there for two cycles.

LEG. CARACCILOLO:

ELAP, ELAP.

CHAIRMAN GULDI:

ELAP, and it should be addressed.

LEG. BISHOP:

Are you familiar with that one as well?

MR. CHUISANO:

Yes.

LEG. BISHOP:

Is it the same circumstance?

MR. CHUISANO:

It's the same circumstance where the Bond Authorization was adopted twice.

LEG. BISHOP:

Counsel, are you satisfied with that explanation? Because maybe we'll release it.

MR. SABATINO:

I mean, this is the level of detail you couldn't pick up from the backup, there was no knowledge. And this is much more complicated

than it appeared to be in the resolution.

MR. CHUISANO:

I could forward you the exact two Bond Resolutions, we're only trying to repeal one.

LEG. BISHOP:

If you would send that to Counsel, if do you so by Tuesday, if he receives it by Tuesday, then we'll be prepared to waive the rules and take care of that at Tuesday's meeting.

MR. SABATINO:

Yeah, that would be great because the other one looked like there was State aid that was being advanced and we somehow -- it looked different, but if that's what you're describing that would be great because that would solve the problem.

MR. CHUISANO:

Okay.

LEG. BISHOP:

All right. You'll do that? Thank you.

Introductory Resolutions: Real Estate

CHAIRMAN GULDI:

Moving right along, Introductory Resolution 2041-03 - Authorizing the sale of County-Owned real property pursuant to Section 72-h of the General Municipal Law to the Town of Babylon for Affordable Housing purposes (County Executive). Do we have the town resolution, Counsel?

MR. SABATINO:

2041; we have Resolution 603 from September 2nd from the Town of Babylon, yes.

LEG. BISHOP:

Motion.

CHAIRMAN GULDI:

Motion to approve bu Legislator Bishop.

LEG. CARACCILO:

On the motion.

CHAIRMAN GULDI:

Second by myself.

LEG. BISHOP:

So this is the same as the other one except they didn't name the vendor so we're not going to torture them on this one, but if they named the vendor then we --

LEG. VILORIA-FISHER:

Well, this has a town resolution.

CHAIRMAN GULDI:

This has a town resolution.

LEG. BISHOP:

I understand that but --

CHAIRMAN GULDI:

Absolutely.

LEG. BISHOP:

Okay. That just seems counterintuitive to me.

DIRECTOR COSTIGAN:

This one is in the ordinary course. This one is a typical resolution. It refers, by the way, to four parcels, not just one.

LEG. CARACCILOLO:

Okay, that was my question.

LEG. CRECCA:

Motion to approve.

39

CHAIRMAN GULDI:

Okay. All those in favor? Opposed? Approved (VOTE: 6-0-0-1 Not Present: Legislator Fields).

LEG. BISHOP:

You would do much better if you provided less detail.

CHAIRMAN GULDI:

That's the first time you've encountered that, hey?

2046-03 - Authorizing the sale of County-Owned real property pursuant to Section 72-h of the General Municipal Law to the Town of Huntington for Affordable Housing purposes (County Executive).

LEG. BISHOP:

Motion.

CHAIRMAN GULDI:

Do we have a resolution?

MR. SABATINO:

Yes.

CHAIRMAN GULDI:

Motion to approve by myself, second by Legislator Bishop.

LEG. CARACCIOLO:

On the motion.

CHAIRMAN GULDI:

On the motion, Legislator Caracciolo.

LEG. CARACCIOLO:

Counsel, how many parcels?

DIRECTOR COSTIGAN:

This refers to one parcel.

MR. SABATINO:

One parcel on 6th Street in Huntington.

CHAIRMAN GULDI:

All those in favor? Opposed? Approved (VOTE: 6-0-0-1 Not Present: Legislator Fields).

2060-03 - Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act, Tristate Capital Corp. (0100-039.00-02.00-097.000) (County Executive). We can do these in a group. Are they all in the ordinary course and of right?

DIRECTOR COSTIGAN:

They are.

CHAIRMAN GULDI:

Okay. Motion to approve and place on the consent calendar by myself,

40

second by Legislator Crecca for Resolutions 2060, 2061, 2062, 2063 and 2064.

LEG. BISHOP:

And 71 might qualify also.

CHAIRMAN GULDI:

We'll do these together. All those in favor? Opposed? Those

resolutions are approved and placed on the consent calendar
(VOTE: 6-0-0-1 Not Present: Legislator Fields).

2061-03 - Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act, William R. Fowler as surviving Joint Tenant (0100-099.00-01.00-037.000) (County Executive). Approved and placed on the consent calendar (VOTE: 6-0-0-1 Not Present: Legislator Fields).

2062-03 - Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act, Charles Woodley, Jr. & Marva P. Woodley, his wife (0200-453.00-01.00-019.000) (County Executive). Approved and placed on the consent calendar (VOTE: 6-0-0-1 Not Present: Legislator Fields).

2063-03 - Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act, William J. Bowles and Michelle E. Bowles (0900-120.00-03.00-039.001) (County Executive). Approved and placed on the consent calendar (VOTE: 6-0-0-1 Not Present: Legislator Fields).

2064-03 - Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act, Audrey Scott (0900-139.00-02.00-019.000) (County Executive). Approved and placed on the consent calendar (VOTE: 6-0-0-1 Not Present: Legislator Fields).

2065-03 - Sale of County-owned real estate pursuant to Local Law 13-1976 Monroe Gardens, LLC (0100-208.00-06.00-004.002). How can we do -- oh, a Local Law 13, excuse me. Number of bidders?

DIRECTOR COSTIGAN:

There were two qualified bidders, one was the railroad. This is a tiny piece along the side of the railroad.

CHAIRMAN GULDI:

They bid the appraisal?

DIRECTOR COSTIGAN:

They bid the appraisal.

LEG. O'LEARY:

Motion.

Motion to approve and place on the consent calendar by Legislator O'Leary, second by myself. Discussion. All those in favor? Opposed? Approved and placed on consent calendar (VOTE: 6-0-0-1 Not Present: Legislator Fields).

2066-03 - Sale of County-owned real estate pursuant to Local Law 13-1976, Bay Shore Lodge No. 2044, Loyal Order of Moose (0500-454.00-02.00-005.001). Number of bidders and bid price, Ms. Costigan

DIRECTOR COSTIGAN:

In this instance, the Local Lodge owns two adjacent pieces so they qualified twice to bid and the third bidder was an individual, a third qualified bidder who did not bid.

CHAIRMAN GULDI:

So this one is at the appraised value?

DIRECTOR COSTIGAN:

It is.

CHAIRMAN GULDI:

Motion to approve and place on the consent calendar by myself, second by Legislator O'Leary. All those in favor? Opposed? Approved and placed on the consent calendar (VOTE: 6-0-0-1 Not Present: Legislator Fields).

2070-03 - Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act, Joseph Farley, as Executor of the Estate of Martha Farley a/k/a Martha A. Farley (0500-243.00-01.00-059.000) (County Executive). Of right?

DIRECTOR COSTIGAN:

Yes, it is.

CHAIRMAN GULDI:

2071-03 - Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act, Ronald Anthony Maisano and Lorraine A. Maisano, his wife (0100-027.00-02.00-058.000) (County Executive). 2071 is as of right to Anthony Maisano and Lorraine Maisano?

DIRECTOR COSTIGAN:

That's correct.

CHAIRMAN GULDI:

Okay. Motion by myself --

LEG. O'LEARY:

Second.

CHAIRMAN GULDI:

-- to approve and place on the consent calendar 2070 and 2071.
Second by Legislator O'Leary. All those in favor? Opposed?

42

LEG. CARACCILOLO:

Opposed.

CHAIRMAN GULDI:

Opposed to 2071 on the consent calendar, Local Law 16's?

LEG. CARACCILOLO:

Oh, I'm sorry, can we go back and reconsider --

LEG. CRECCA:

I have a question.

CHAIRMAN GULDI:

All right, let's do these first.

LEG. CARACCILOLO:

Yes.

CHAIRMAN GULDI:

2070 and 2071, all those in favor? Opposed? Approved and placed on the consent calendar (VOTE: 6-0-0-1 Not Present: Legislator Fields).

Motion to reconsider which resolution?

LEG. CARACCILOLO:

2065.

CHAIRMAN GULDI:

2065 is a Local Law 13; one bidder at appraised value.

LEG. CRECCA:

I just have a question regarding the appraised value.

CHAIRMAN GULDI:

Go ahead.

LEG. CRECCA:

I'm looking at the backup, it appears that the size of the parcel is 125 feet by 41 by 98?

DIRECTOR COSTIGAN:

That's right.

LEG. CRECCA:

And it appraised for \$3,000. And I'm --

CHAIRMAN GULDI:

It's adjacent to the railroad track.

DIRECTOR COSTIGAN:

It's landlocked and immediately adjacent to the railroad tracks.

LEG. CRECCA:

Okay, that's where I -- that makes sense now, never mind. I didn't see the -- I thought that was a road.

43

CHAIRMAN GULDI:

Okay, moving right along, Finance.

LEG. CRECCA:

Withdraw the motion.

DIRECTOR COSTIGAN:

Thank you.

Introductory Resolutions: Finance

CHAIRMAN GULDI:

2057-03 - Amending the 2003 Operating Budget, transferring funds to the appropriate Debt Services Accounts and authorizing the County Comptroller and the County Treasurer to make a payment to the Capital Fund for the bond anticipation renewal notes principal paydown and accept revenue within the Capital Fund (County Executive).

LEG. CARACCILO:

Explanation.

CHAIRMAN GULDI:

Nah, we don't need an explanation for that; come on, everyone knows what that is. Come on down.

MR. CHUISANO:

This resolution is a little complicated, but the reason for that is because of the Rolling BAN Program.

CHAIRMAN GULDI:

Right.

MR. CHUISANO:

When the Rolling BAN Program after the second year going into the third year, which is the second renewal of the BANs, a declining balance begins to start to take place. So if you issued the BAN for a hundred thousand, you can renew it once at a hundred thousand but then the following year you could only renew it for possibly 90,000. The difference in that amount has to be made up from another funding source, an operating funding source, otherwise the projects will not have sufficient funding at the end and the projects will go into a negative cash balance and reflect a deficit. So this resolution seeks to address that issue. The resolution was discussed with both Audit and Control, the Treasurer and representatives of Budget Review were also aware of the resolution.

LEG. CARACCILO:
Counsel?

LEG. BISHOP:
I need a more elementary explanation of what this is.

CHAIRMAN GULDI:
You've got to thumb it down a little for my colleagues.

44

LEG. BISHOP:
Let's start with what a BAN is and then work our way out from there.

LEG. CARACCILO:
The question I have for Counsel is --

CHAIRMAN GULDI:
All right, I take it back, you've got to thumb it down a lot for some of my colleagues.

LEG. BISHOP:
Yeah.

LEG. CARACCILO:
Paul, have we had instances where we've had resolutions like this in the past? Because I don't recall --

MR. SABATINO:
Not identical, but this resolution is in order, I looked at it. This one actually made sense, this was unlike the others which were difficult to --

LEG. CARACCILO:
Very good. Motion to approve.

LEG. BISHOP:

Mr. Chairman, I'd like my explanation at a level that I could understand it.

CHAIRMAN GULDI:

I don't know if that's possible but we'll give it a shot. Small words, okay?

LEG. CRECCA:

You ever watch Sesame Street?

LEG. BISHOP:

You know, I did pass the bar, so there is some hope.

CHAIRMAN GULDI:

We all wonder about that.

LEG. BISHOP:

The first time, too.

MR. CHUISANO:

Basically it would be to transfer funds from the Operating Budget to the Capital Fund to ensure that these projects are made whole as far as a funding source. If the expense is not made to the Operating Budget and a revenue is not put into the Capital Fund to support these projects, basically there will be a deficit in those projects which would have to be made up by the County at a later date.

LEG. BISHOP:

Okay. So now wait -- that was good, but you can go even simpler than that. Let's say it's -- what is it, open space?

LEG. VILORIA-FISHER:

Why was their value reduced, is that what you want to know?

LEG. BISHOP:

There is not sufficient money in the Capital Fund for that bond?

LEG. VILORIA-FISHER:

No, because look, the value was reduced.

MR. CHUISANO:

The BAN declines after the second year. So if you needed sixteen million nine forty to fund those projects, when you renew the BAN for the second time which is the third year, what is equal to a theoretical principal payment has to be reduced from the rollover to the new bond, to the new BAN.

LEG. VILORIA-FISHER:

So it's sixteen million.

MR. CHUISANO:

You come up \$715,000 less in cash to support those projects, that has to be made up from the Operating Budget.

LEG. BISHOP:

Why do you need a BAN to begin with? You want to buy open space you do a bond, right?

MR. CHUISANO:

The reason why the BANs or the Rolling BAN Program has been put in place, and this was a choice by Audit and Control, but the reason is because short-term borrowing is cheaper at this point than long-term borrowing, so it's saving the County dollars. I don't have the exact amounts but that's the basic reason for rolling the BANS over.

LEG. BISHOP:

So a BAN is a short-term borrowing that we do, but we know that there's a long-term borrowing authorized so we engage in the short-term borrowing --

MR. CHUISANO:

Because it's cheaper.

LEG. BISHOP:

Okay, now I got it. Got it.

MR. SABATINO:

Also, it's all on the mandated side in terms of the expense.

LEG. VILORIA-FISHER:

And this was a discussion that we had last year where I remember discussing it with Jim Spero asking what the benefit was of issuing a BAN instead of a bond because of the short term cost.

LEG. BISHOP:

Right.

MR. SABATINO:

We had a whole discussion with the Comptroller's Office for getting authorization clarified because they hadn't done it in a long time.

LEG. BISHOP:

Got it.

CHAIRMAN GULDI:

Okay. All those -- we have a motion to approve and a second.
All those in favor? Opposed? Approved (VOTE: 6-0-0-1 Not Present:
Legislator Fields).

MR. CHUISANO:

Thank you.

CHAIRMAN GULDI:

2067-03 - To readjust, compromise and grant refunds and chargebacks on
correction of errors/County Treasurer by: County Legislature #180
(County Executive).

2068-03 - To readjust, compromise and grant refunds and chargebacks on
correction of errors by: County Legislature (Control #711-2003)
(County Executive).

2069-03 - To readjust, compromise and grant refunds and chargebacks on
correction of errors/County Treasurer by: County Legislature #179
(County Executive).

LEG. CARACCILO:

Motion to approve.

CHAIRMAN GULDI:

2067, 68 and 69 are chargebacks and compromises, they're all clerical
in nature. I'll make a motion to approve and place on the consent
calendar, second by Legislator Caracciolo on all three of them; we
don't need to do these separately, do we Counsel?

MR. SABATINO:

No.

CHAIRMAN GULDI:

All those -- discussion? All those in favor? Opposed? 2067, 2068 and
2069 are approved and on the consent calendar (VOTE: 6-0-0-1 Not
Present: Legislator Fields).

Introductory Resolutions: Other

2018-03 - Authorizing certain technical corrections to Adopted
Resolution No. 690-2003 (County Executive). The correction on this
one is -- hold on a second.

MR. SABATINO:

The object number for a State Labor Grant for training, the numbers
were transposed.

CHAIRMAN GULDI:

Motion to approve and place on the consent calendar by myself, second by Legislator Caracciolo. Discussion? All those in favor? Opposed? Approved and on the consent calendar (VOTE: 6-0-0-1 Not Present: Legislator Fields).

2019-03 - Allocating pay-as-you-go funding for improvements to the William H. Rogers Legislative Building, Hauppauge (CP 1688.313) (Foley).

LEG. CARACCIOLO:

What are the improvements?

CHAIRMAN GULDI:

Counsel? I don't have them.

MR. SABATINO:

There's no detail in the resolution, so I'm not certain but I assume it's the basement; there's some desire to convert that into I think office space or something comparable.

CHAIRMAN GULDI:

Henry, try to make some of us care about this.

MR. BARTON:

George, that's a long stretch. No, on the -- this is the second phase of the renovations to this building. It would include the bathrooms down in the Clerk's Office and adding bathrooms downstairs and finishing out the office space down there and extending the heating and air-conditioning.

LEG. CARACCIOLO:

And what is the total amount of square footage and what is the estimated cost?

MR. BARTON:

It's the area directly beneath the Budget Review Office which was the addition to the building, I believe it's about 5,000 square feet. The Legislature has previously approved \$250,000, Jim?

MR. SPERO:

(Shook head yes).

MR. BARTON:

And the bids came in a little bit higher than expected, so we're looking for the additional money to complete the complete project.

LEG. CARACCIOLO:

That's very helpful information because unrelated, Mr. Chairman, to this resolution, but I would just like clarification from Counsel, is yesterday there was discussion about the Scully Estate and the building on it at that location. Five thousand square feet of just vacant space and you're basically building it out and you're talking in excess of a quarter of a million dollars, there we're talking about a structure that's 70 plus years old, they're talking about a 5,000 square foot -- I think Christine represented it's close to 5,000

48

square feet -- that needed extensive improvements, as the Chairman pointed out, and they were estimating those costs as well as a parking lot to cost approximately \$300,000. As I said then and I think this is a clear indication of that and then it was put on the record by the sponsor and representative from that district, Mr. Alden, that it was their intent specific to my question as to who would be responsible for the improvements that clearly we're dealing with, as Mr. Bishop pointed out, a money pit.

CHAIRMAN GULDI:

I thought you were in a hurry?

LEG. CARACCILOLO:

I am, but I will repeat this on Tuesday for those who really care about the money pit we're going to get ourselves involved with there. The land should be purchased not the building. Thank you.

LEG. VILORIA-FISHER:

Excuse me, just so I may quantify.

CHAIRMAN GULDI:

Go ahead.

LEG. VILORIA-FISHER:

I was referring -- the characterization that I called that a money pit is incorrect. I used the term money pit to characterize the criticisms by Mr. Guldi and Mr. Caracciolo.

CHAIRMAN GULDI:

That's not actually on this agenda or before this committee, in case anyone wanted to know.

LEG. VILORIA-FISHER:

Yes, but I just don't want to be misrepresented.

CHAIRMAN GULDI:

Motion to approve by myself.

LEG. CARACCILO:
Second.

CHAIRMAN GULDI:
Try to get us on task here. Second by Legislator Caracciolo.
All those in favor? Opposed? Approved (VOTE: 6-0-0-1 Not Present:
Legislator Fields).

Tabled Sense Resolutions

Sense 58-2003 - Memorializing Sense Resolution requesting the State of
New York to create Suffolk County Government Facilities Agency (GFA)
(Guldi). This may be my last chance to try this. I'll make a motion
to --

LEG. CARACCILO:
Motion to table subject to call.

49

CHAIRMAN GULDI:
Motion to approve by myself. Do I have a second on the motion to
approve?

LEG. CRECCA:
On the motion.

LEG. CARACCILO:
GFA.

CHAIRMAN GULDI:
GFA.

LEG. CRECCA:
Oh, never mind.

CHAIRMAN GULDI:
It's my last chance to move it.

LEG. CRECCA:
I don't need to speak, I just wanted to see what it was.

CHAIRMAN GULDI:
Okay. The motion to approve has a second, the motion to table subject
to call does not. On the motion --

LEG. CRECCA:
Second on the motion to table subject to call.

CHAIRMAN GULDI:

On the motion to table subject to call, all those in favor?

LEG. CRECCA:

Aye.

LEG. CARACCILOLO:

Aye.

LEG. VILORIA-FISHER:

Opposed.

CHAIRMAN GULDI:

Opposed, one, two, three. Where are you, Mr. O'Leary?

LEG. O'LEARY:

I'm right over here.

CHAIRMAN GULDI:

Yes, I know. Which one, are you in favor or opposed to tabling subject to call?

LEG. O'LEARY:

I'm in favor.

CHAIRMAN GULDI:

Okay, table subject to call 3-3, it fails (VOTE: 3-3-0-1 Opposed:

50

Legislators Guldi, Bishop & Viloría-Fisher - Not Present: Legislator Fields).

Motion to approve and second is before us. All those in favor?
Opposed?

LEG. CRECCA:

Opposed.

LEG. CARACCILOLO:

Opposed.

LEG. O'LEARY:

In favor.

CHAIRMAN GULDI:

You're in favor?

LEG. O'LEARY:

To approve?

CHAIRMAN GULDI:
To approve.

LEG. O'LEARY:
No, I'm no, I'm opposed. I thought it was to table.

CHAIRMAN GULDI:
I thought so.

LEG. CRECCA:
Where are you?

LEG. O'LEARY:
I thought we were at the end of the calendar here.

CHAIRMAN GULDI:
Hey, you know? Well, this is the only time we can sneak stuff past you; it fails (VOTE: 3-3-0-1 Opposed: Legislator Fields).

We have a motion to go into an executive session to consider one settlement within the State. Motion -- approving the presence of County Attorney's Office, Budget Review, Legislative staff and Counsel to the Legislature and Insurance & Risk Management. Second by Legislator Caracciolo. All those -- my aide will let the Clerk's Office know what time we reconvene solely for the purpose of adjourning. And this is my last time I get to say that, so in the words of South Park; "Screw you guys, I'm going home."

(*The meeting was moved into executive session at 11:35 A.M.
and was then adjourned at 11:44 A.M.*)

Legislator George Guldi, Chairman
Ways & Means, Real Estate Transactions
& Finance Committee

{ } - Denotes Spelled Phonetically